

Message Text

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PAGE 01 STATE 220336
ORIGIN NEA-10

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FM SECSTATE WASHDC
TO AMEMBASSY KABUL
INFO AMEMBASSY NEW DELHI
AMCONSUL BOMBAY

C O N F I D E N T I A L STATE 220336

E.O. 11652: GDS

TAGS:EINV, BGEN, AF, US

SUBJECT: INDAMER AFGHAN INDUSTRIES

REF: KABUL 6433

1. INDAMER ATTORNEY VINCENT RAKESTRAW AND MANAGING DIRECTOR OF INDAMER CO. PVT. LTD. (BOMBAY) JOSEPH KOSZAREK CALLED ON DEPUTY ASSISTANT SECRETARY MIKLOS AUGUST 29 TO DISCUSS FURTHER STEPS DIRECTED AT SOLVING INDAMER'S PROBLEMS WITH DRA. RAKESTRAW INDICATED INDAMER'S BASIC GOAL IS TO GET A HEARING FROM THE DRA. KOSZAREK STATED HE IS FULLY PREPARED TO CLOSE DOWN IN AFGHANISTAN AND PAY OFF DRA'S OUTSTANDING CLAIMS FOR TAXES BUT HE INSISTS ALSO ON GETTING HIS FAIR SHARE OF INDAMER'S REMAINING ASSETS IN AFGHANISTAN.

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2. RAKESTRAW OUTLINED PLANS TO RAISE MATTER WITH AFGHAN AMBASSADOR NOOR AND WITH APPROPRIATE MEMBERS OF THE HOUSE INTERNATIONAL RELATIONS AND SENATE FOREIGN RELATIONS COMMITTEES AS WELLAS CONGRESSIONAL APPROPRIATIONS COMMITTEES. AT SAME TIME HE SAID HE DID NOT WANT TO WORK AT CROSS PURPOSES WITH U.S. POLICY INTERESTS IN AFGHANISTAN.

3. MIKLOS INTERPOSED NO OBJECTION TO RAKESTRAW'S PROPOSED MEETING WITH NOOR BUT INDICATED WE ARE NOT CERTAIN NOOR

EXERCISES MUCH INFLUENCE IN KABUL. NONETHELESS, MIKLOS REITERATED U.S. INTENTION TO DEFEND AMERICAN INTERESTS IN AFGHANISTAN INCLUDING THOSE OF U.S.-OWNED FIRMS AND OFFERED ALSO TO DISCUSS INDAMER'S CASE WITH NOOR AFTER DEPARTMENT LOOKS AT FACTS IN LIGHT OF POSSIBLE LEGAL IMPLICATIONS IN U.S. FOREIGN ASSISTANCE LEGISLATION OF DRA ACTIONS AGAINST AN AMERICAN-OWNED FIRM. MIKLOS EXPLAINED THAT THIS MIGHT GIVE HIM A STRONGER POSITION WHEN RAISING THE ISSUE WITH NOOR. RAKESTRAW AGREED TO PROVIDE L/NEA WITH NECESSARY DOCUMENTATION.

4. MEETING CONCLUDED WITH GENERAL CONSENSUS THAT AFTER DEPARTMENT HAD HAD OPPORTUNITY TO LOOK AT LEGAL ASPECTS OF CASE, MIKLOS WOULD DISCUSS MATTER WITH NOOR. NOOR'S REPLY WOULD THEN BE EVALUATED BY RAKESTRAW AND HIS CLIENT IN TERMS OF WHAT ACTIONS, IF ANY, THEY WOULD TAKE ON CAPITOL HILL OR ELSEWHERE.

5. ACTION REQUESTED: WE BELIEVE IT WOULD BE USEFUL IF DRA COULD BE PERSUADED TO EXTEND FORMALLY AMOUNT OF TIME INDAMER HAS TO CLOSE OUT ITS OPERATIONS IN AN ORDERLY FASHION. REQUEST YOU ASK DRA FOR SUCH AN EXTENSION OF CONFIDENTIAL

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AT LEAST SIXTY TO NINETY DAYS FROM NOW. CHRISTOPHER

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NNN

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